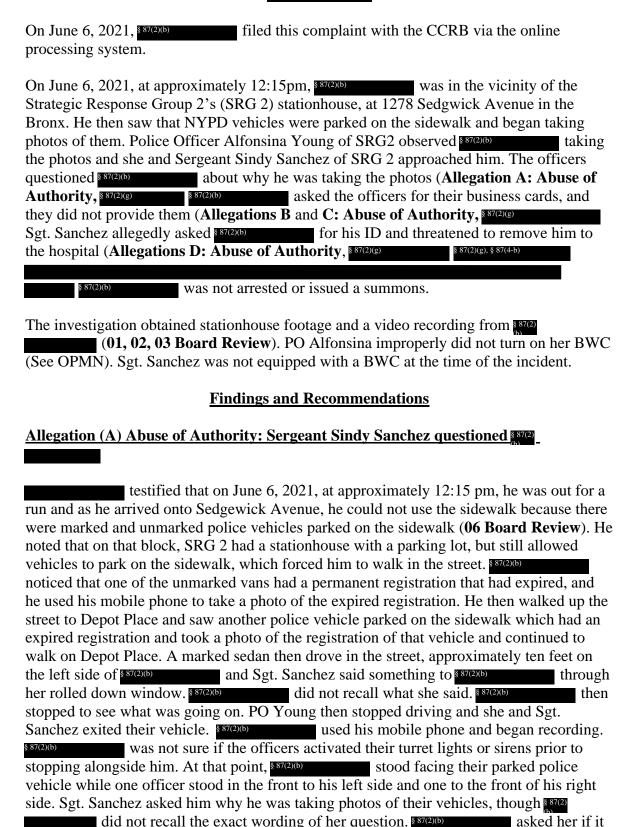
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Forc	e [Discourt.	U.S.
Tileyah Williams		Squad #3	202103414	☑ Abu	se 🗆	O.L.	☐ Injury
Incident Date(s)		Location of Incident:		Precin	nct: 1	8 Mo. SOL	EO SOL
Sunday, 06/06/2021 12:15 PM		In the vicinity of Depot	Place	44		12/6/2022	12/6/2022
Date/Time CV Reported		CV Reported At:	How CV Reported:	: Date	Time Re	ceived at CCl	RB
Sun, 06/06/2021 1:14 PM		CCRB	On-line website	Sun,	06/06/20	21 1:14 PM	
Complainant/Victim	Type	Home Address					
Subject Officer(s)	Shield	TaxID	Command				
1. POF Alfonsina Young	05232	954317	SRG 2				
2. SGT Sindy Sanchez	00546	939761	SRG 2				
Officer(s)	Allegatio	on			Investi	gator Recon	nmendation
A.SGT Sindy Sanchez	Abuse: S	ergeant Sindy Sanchez of	questioned § 87(2)(b)				
B.POF Alfonsina Young	Abuse: Police Officer Alfonsina Young failed to provide with a business card.						
C.SGT Sindy Sanchez	Abuse: Sergeant Sindy Sanchez failed to provide with a business card.						
D.SGT Sindy Sanchez	Abuse: Sergeant Sindy Sanchez threatened to remove to the hospital.						
§ 87(2)(g), § 87(4-b)							

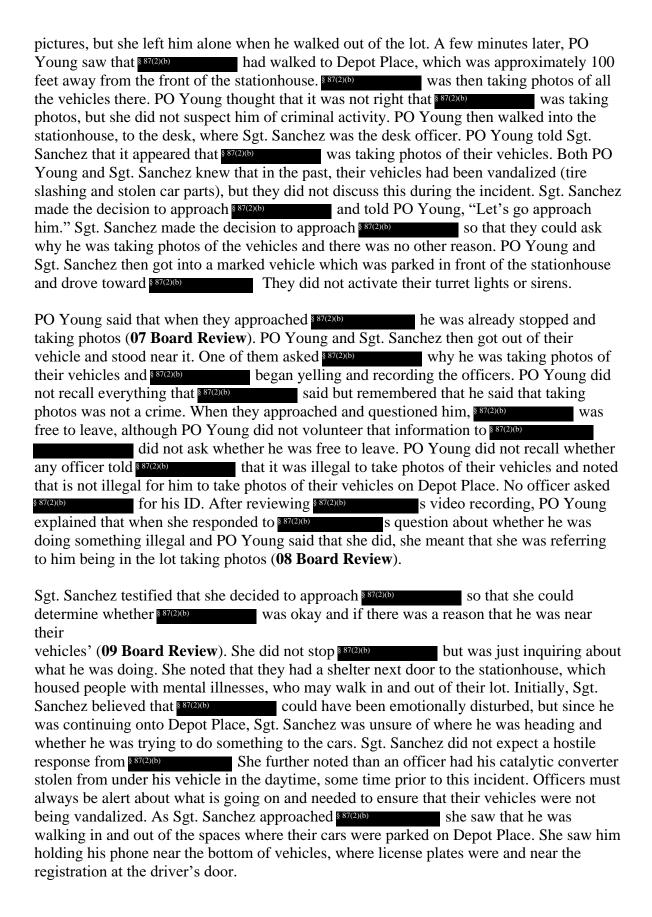
Case Summary



was illegal to take the pictures. Sgt. Sanchez explained that their vehicles had been

vandalized recently and that he was not allowed to take the photos. Either Sgt. Sanchez or PO Young told him that he could take photos of the car or the license plate but not the registration sticker. At some point § 87(2)(b) asked the officers if he was free to leave and neither of them answered him. The officers continued to ask him about why he was taking photos of their vehicles. § 87(2)(b) asked them if they saw him do anything illegal and PO Young told him yes, and that she saw him taking photos of their cars. Stationhouse footage from the roof on Sedgewick Avenue, shows that at 1:32:10 minutes, (wearing a blue shirt and entering from the bottom of the screen) walks past the stationhouse (**02 Board Review**). §87(2)(6) stops by the driver's side of an unmarked vehicle, remaining in the road, and takes a picture of the vehicle near the driver's side window, by the sideview mirror. He continues walking. At 1:32:36 minutes, the view shows a female officer, PO Young, start to walk after \$87(2)(b) but after a second, stops mid-step and walks back toward the stationhouse. As \$87(2)(b) walks past the last parked vehicle, he holds up his right hand toward the vehicles again. The view shows a marked sedan parked in front of the stationhouse. At 1:34:00 minutes, PO Young gets in the driver's seat, but the view does not show the passenger side of the car. Stationhouse footage which shows the end of the parking lot, and the beginning of Depot Place up the street shows that at after \$87(2)(b) leaves the vicinity of the stationhouse, he continues walking on Sedgewick Avenue (03 Board Review). At 1:33:33 minutes, he continues onto Depot Place. He stops near the driver's side window of an unmarked van and stays there for two seconds. He then continues walking. At 1:34:17 minutes, the view shows a marked sedan (ostensibly the vehicle that PO Young and Sgt. Sanchez are in), drive by. The turret lights are not activated. It turns left on Depot Place and goes in the direction of § 87(2)(b) The angle does not capture their interaction and it does not capture § 87(2)(b) s interaction with any other with § 87(2)(b) vehicles. Video footage provided by \$87(2)(b) shows that when the video starts, Sgt. Sanchez is outside of her vehicle, near the passenger door and PO Young is near the driver's door (01 Board Review). They remain in these positions. Sgt. Sanchez asks, "Why are you taking pictures of my department vehicles?" § 87(2)(b) asks if it was illegal. Sgt. Sanchez repeats the question and says that it is one thing for him to take photos of the license plate but that he was going to the registration of the vehicles, and they just got vehicles broken into the night before she wanted to know why he was in the confines of her points his camera toward PO Young and she says precinct taking pictures. § 87(2)(b) that she was recording. § 87(2)(b) asks if PO Young observed him do anything illegal and PO Young says that she did observe him taking pictures. §87(2)(b) asks if it was illegal. PO Young starts a statement, "It is department" and Sgt. Sanchez starts a statement, "You cannot go to a..."; the video then discontinues. PO Young testified that when \$87(2)(b) walked in the vicinity of the stationhouse, he walked into their parking lot and started taking photos of vehicles in their lot (07 Board Review). At that point, § 87(2)(b) was trespassing. PO Young tried to approach [887(2)] and called out, "Sir." \$87(2)(b) ignored PO Young and continued

walking out of the lot. PO Young intended to ask s87(2)(b) whether he was taking

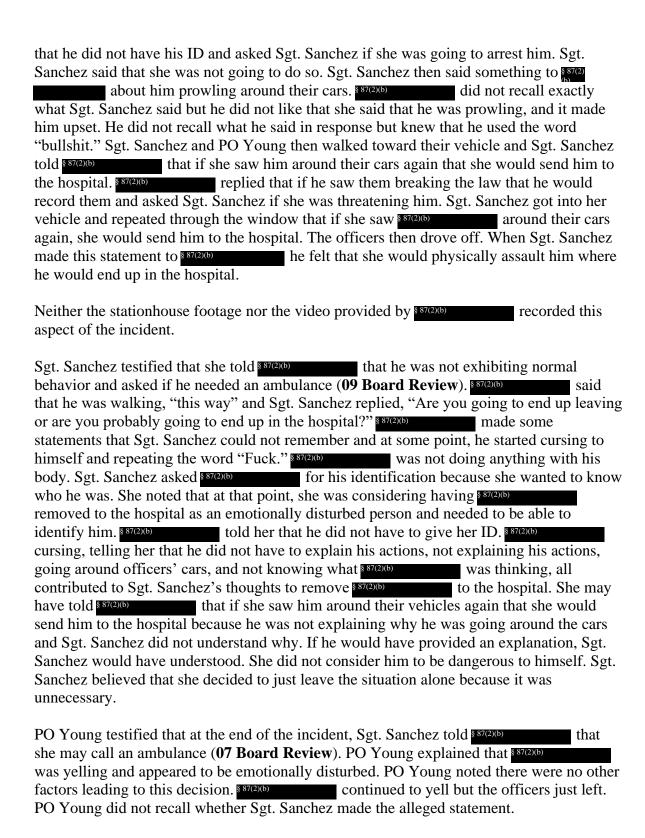


Sgt. Sanchez said that while she spoke to \$87(2)(b) he asked if he was free to leave and she told him of course he was free to go, and that he could just walk away without a problem (09 Board Review). Sgt. Sanchez did not recall telling §87(2)(6) illegal for him to take photos of the vehicles. She did not recall telling him that he did anything illegal. She did not know if PO Young did. § 87(2)(b) s behavior on Depot Place was not illegal but it was suspicious because he could be pretending to take photos and could be breaking into the vehicle. She only inquired about what he was doing around their vehicles. People v. Hill 33 N.Y.3d 990 (2019) notes that officers are allowed to approach an individual for an articulable reason and asked briefly about their identity and reason for being in the area (10 Board Review). This is a level-one inquiry, which should be supported by an objective credible reason. PO Young and Sgt. Sanchez all testified that prior to officers approaching § 87(2)(b) he had been taking pictures of vehicles that either belonged to the NYPD or to members of the NYPD, including of the vehicles' registration. Both officers testified that they approached \$87(2)(b) to ask why he was taking pictures and did not stop him. § 87(2)(g) Allegation (B) Abuse of Authority: Police Officer Alfonsina Young failed to provide with a business card. Allegation (C) Abuse of Authority: Sergeant Sindy Sanchez failed to provide [87/2] with a business card. testified that after PO Young told him that he was doing something illegal, asked her, "Can I have your card please," and she said that she did not have any with her (06 Board Review). §87(2)(6) then asked Sgt. Sanchez, "Can I have your card please," and she also said that she did not have any with her, and that story would need to go with them to the stationhouse if he wanted their cards. §87(2) learned Sgt. Sanchez' name by reviewing the cell phone video that he recorded. Neither the stationhouse footage nor the video provided by \$87(2)(b) recorded this aspect of the incident. PO Young testified that she did not have any business cards because she was performing stationhouse security and did not carry them with her (07 Board Review). She usually kept them in her bookbag and since she was doing stationhouse security, she did not have her bookbag. PO Young did not know whether Sgt. Sanchez had business cards. [8572] asked them for their business cards and Sgt. Sanchez told him that she did not have them but that he could get one from the stationhouse. PO Young did not recall her response to this request. PO Young noted that in this situation, while working stationhouse, her policy is that she could have called an officer from the stationhouse to bring her

business cards or that a civilian could go back and get a business card from the stationhouse. PO Young did not call the stationhouse because she and Sgt. Sanchez were the only officers in the building.

Sgt. Sanchez said did not have business cards because she was assigned to the desk and was not expecting to have interactions with the public (09 Board Review). S37(2)(6) asked her for a business card, and she told him that he could go back to the stationhouse with her to get one and he did not respond. She then read her name and shield number, which was on her uniform. She said that when she went into the stationhouse, she got one of her business cards to give \$87(2)(b) but by the time she came went back out, \$87(2) was no longer there. Sgt. Sanchez did not recall whether §87(2)(b) PO Young for a business card. She did not remember whether PO Young had business cards. As explained earlier, stationhouse footage shows when PO Young and Sgt. Sanchez leave the stationhouse to first interact with \$87(2)(b) (02 Board Review). The view shows that the vehicle returns to the front of the stationhouse at 1:39:45 minutes. PO Young exits the vehicle and goes toward the entrance to the stationhouse. She gets back into the vehicle at 1:44:23 minutes and drives away. Stationhouse footage showing Depot Place, shows that as the marked sedan approaches Depot Place at 1:45:18 minutes, it goes back in the direction where \$87(2)(b) had walked prior (03 Board Review). Administrative Guide 304-11 states that officers must provide business cards at the request of members of the public (12 Board Review). The guide notes that absent a business card, the officer should allow a member of the public ample time to write down officers' identifying information. Allegation (D) Abuse of Authority: Sergeant Sindy Sanchez threatened to remove [87(2)] to the hospital. testified that at some point, Sgt. Sanchez asked him for his ID to which he responded that there was no law that stating that he needed to have his ID (06 Board

Review). Sgt. Sanchez said that he did need to have his ID with him. §87(2)(b)



<u>NYPD Patrol Guide Procedure</u> 221-13 defines an emotionally disturbed person as an individual who appears to be mentally ill, temporarily deranged and conducting themselves in a manner which a police officer reasonably believes is likely to result in serious injury to himself or others (**14 Board Review**).

Sgt. Sanchez said that she asked for his ID because she wanted to be able to identify him, in case she needed to remove him to the hospital. She further noted that his behavior was not normal because he was taking photos of their vehicles and not explaining why, in addition to cursing to himself. She did not believe he was dangerous though. PO Young added that was yelling, which made him appear emotionally disturbed. Neither officer described any actions by \$\frac{87(2)(0)}{2}\$ to demonstrate he was acting in a way that would likely result in serious injury to himself or others. The
§ 87(2)(g), § 87(4-b)
Civilian and Officer CCRB Histories
§ 87(2)(b)

- PO Young has been a member of service for nine years and has been a subject in two other CCRB complaints and four other allegations, none of which were substantiated.

 § \$7(2)(9)
- Sgt. Sanchez has been a member of service for 17 years and has been subject in five other CCRB complaints and seven other allegations, of which one was substantiated:
 - Case 202003715 involved substantiated allegations of use of pepper spray against Sgt. Sanchez. The Board recommended charges and the NYPD has not yet imposed discipline. §87(2)(g)

Mediation, Civil, and Criminal Histories

- Due to the Agency's mediation moratorium, cases were not being sent to mediation at the time that this complaint was filed.
- As of June 15, 2022, the New York City Office of the Comptroller has no record of a Notice of Claim being filed regarding this incident (**15 Board Review**).

§ 87(2)(C), § 87(2)(U)			
Squad:3			
Investigator: <u>IM Rolando</u> Sig	Vasquez for Inversature	estigator Tileyah Willi Print Title & Nar)22 Date
Squad Leader: Rolando Va Sig	squez gnature	IM Rolando Vasquez Print Title & Nar)22 Date